

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GREENWOOD GAMING &	:	
ENTERTAINMENT, INC.,	:	No. 2:22-cv-4434-MMB
	:	
<i>Plaintiff,</i>	:	
v.	:	
	:	
POM OF PENNSYLVANIA, LLC,	:	
PACE-O-MATIC, INC., and	:	
MIELE MANUFACTURING, INC.,	:	
	:	
<i>Defendants.</i>	:	

**POM OF PENNSYLVANIA, LLC AND PACE-O-MATIC, INC.'S
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendants POM of Pennsylvania, LLC and Pace-O-Matic, Inc. (collectively, the “POM Defendants”), by and through their undersigned counsel, hereby move under Federal Rule of Civil Procedure 12(b)(6) to dismiss, with prejudice, all Counts of the Complaint for failure to state claim. In support of this request, the POM Defendants incorporate by reference the accompanying Brief in Support of the Motion.

Respectfully submitted,

Dated: November 11, 2022

/s/ Edward T. Butkovitz
Matthew H. Haverstick (No. 85072)
Edward T. Butkovitz (No. 309565)
Shohin H. Vance (No. 323551)
KLEINBARD LLC
Three Logan Square, 5th Floor
1717 Arch Street
Philadelphia, PA 19103
Phone: (215) 568-2000
Eml: mhaverstick@kleinbard.com
ebutkovitz@kleinbard.com
svance@kleinbard.com
Attorneys for the POM Defendants